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back side of said sidewalls located within the other half of their lengths remote from said base extending upwardly toward said front side of said sidewalls.

79. (New) The head of claim 78, wherein said portion of said back side of said sidewall curves generally upwardly toward said front side of said sidewalls.

80. (New) The head of claim 78, wherein said portion of said front side of said sidewall curves generally downwardly.

81. (New) The head of claim 78, wherein said offset portion of said front side of said sidewall is located adjacent said base.

#### REMARKS

The Examiner objected to the drawings as not showing every feature of the claim. The Examiner objected to Claims 58 and 68, and the respective claims that depend therefrom, under 35 U.S.C. §112, first paragraph as not supported by the specification. The Examiner rejected Claims 42 through 45 under 35 U.S.C. §102(b) as anticipated by Brine. The Examiner also rejected Claims 58 through 74 under 35 U.S.C. §102(a) as anticipated by Dill. The Examiner objected to Claim 60 as being dependent upon a rejected base claim, but would be allowable if written in independent form.

The applicants appreciate the Examiner's indication that Claims 1 through 24 and 25 through 41 are allowable over the art.

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The undersigned appreciates the Examiners time and courtesy that was extended during the telephonic interview conducted on August 22, 2000. During the interview and as reflected in the Examiner's interview summary, the Examiner has withdrawn the objections to the drawings and the §112 rejections of claims 58 and 68. The Examiner has also withdrawn the §102(a) rejection of Claims 58 through 74.

During the interview and as reflected in the interview summary, the Examiner identified the *Dorfi, Taylor, and MacNeil* references as new references. Applicant has addressed each of the remaining objections and rejections separately below:

**The Section 102(b) rejections of Claims 42 through 45:**

The Examiner has rejected Claims 42 through 45 under §102(b) as being anticipated by *Brine*. While the undersigned initially indicated it would amend the claims, upon a complete consideration of the claims, it is submitted that this rejection is also in error. Accordingly, the Applicants respectfully traverse this rejection.

Claim 42 requires the following limitation:

said base having a concave shoulder at said back side that is recessed with respect to said concave interior surface of said base, said net securing means at said base being disposed in said shoulder. (emphasis added)

Thus, Claim 42 requires that the concave interior surface (30), where the ball rests during possession and where a ball stop is typically affixed, have a shoulder portion (70) that is recessed (toward said socket or projection) with respect to the interior surface. Further, the claim requires that the net securing means be disposed in the recess. One

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purpose for this is to prevent the lacrosse ball from abrading the netting, while it is resting on the concave interior surface.

Conversely, the concave interior surface, disclosed in the *Brine* reference, is the throat wall 24 (Col. 3, lines 6-7). There is no recess formed in the throat wall 24 which houses the string apertures. In fact, there is no recess formed in the throat wall 24 at all. The *Brine* reference discloses that the throat wall 24 has a ball stop member 26 attached thereto against which a ball can rest. Further, the string holes 16 are formed through the concave interior surface. Moreover, the *Brine* reference discloses a rib 30 that extends inwardly or projects from the throat wall in order to provide rigidity to the frame. Thus, *Brine* does not teach a base of a lacrosse head having a concave interior surface with a recess or shoulder formed therein in which the net securing means are disposed. It is therefore submitted that claim 42 is allowable over the art.

It is submitted that dependent Claims 43 and 44 which depend from Claim 42 are allowable over the art for the same reasons provided above in connection with Claim 42.

**Claims 58, 68 and 75 through 81:**

Claims 58 and 68 have been amended to more clearly define the invention. Additionally, claims 75 through 77 are newly added by this Amendment. It is respectfully submitted that each of these independent claims defines over the art of record, as discussed separately below.

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**Claim 58**

It is submitted that amended Claim 58 clearly defines over all the art of record, including the newly cited references (*MacNeil*, *Dorfi*, and *Taylor*). Claim 58 requires a lacrosse head with the front side of the base portion defining a plane where:

said front side of said sidewalls curving generally downwardly to a point below said plane, beginning adjacent said base, so as to impact a curved geometry when viewed in side elevation.

The *MacNeil* reference does not disclose the invention of Claim 58 which requires a curving of the front side of the sidewalls below the plane, which begins at a point adjacent said base. Any curving of the sidewalls in *MacNeil* does not begin adjacent the base, but instead begins remote from the base. Accordingly, the *MacNeil* reference does not teach nor suggest in invention of Claim 58.

Similarly, the *Taylor* reference does not disclose any curving of the front side of the sidewalls below the plane beginning at a point adjacent said base. Instead, like the *MacNeil* reference, the *Taylor* reference, to the extent it discloses curving of the sidewalls, discloses it only beginning at the far end of the sidewall (away from the base) or in the lip. Accordingly, the *Taylor* reference does not teach nor suggest the invention of Claim 58.

The *Dorfi* reference does not disclose any curving below the plane. On the other hand, *Dorfi* discloses an upwardly extending lip. Thus, *Dorfi* does not teach nor suggest the invention of Claim 58.

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Accordingly, it is respectfully submitted that Claim 58 defines over all the art of record and is therefore in a condition for allowance. Claims 59 through 67, which depend from Claim 58, are also submitted to be in a condition for allowance for at least the reasons provided above in connection with Claim 58.

**Claim 68**

It is submitted that amended Claim 68 clearly defines over all the art of record. Claim 68 requires a lacrosse head having a plane defined by the front edge of the base, with:

at least a portion of said front side of said sidewalls located within a half of the lengths adjacent said base, being offset from said plane and at least a portion of said back side of said sidewalls located within the other half of their lengths remote from said base curving toward said front side of said sidewall.

None of the *MacNeil*, *Taylor*, or *Dorfi* references disclose a combination where a at least a portion of the front side of the first half of the sidewalls are offset from a plane defined by the front edge of the base while at least a portion of the back side of the second half of the sidewall curves generally upward toward the plane.

Accordingly, it is respectfully submitted that claim 68 defines over all the art of record and is therefore is a condition for allowance. Claims 69 through 74, which depend from claim 68, are also submitted to be in condition for allowance for the reasons provided above in connection with claim 68.

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**Claim 75**

It is respectfully submitted that newly added Claim 75 defines over all the art of record. Claim 75 requires a lacrosse head having a socket with the upper surface of the socket defining a plane parallel to the handle/head axis with:

at least a portion of said front side of said sidewalls, located adjacent said base, being offset below said plane.

Initially, *Dorfi* does not have any portion of the head located below the plane defined by the upper surface of the socket. Neither *Taylor* nor *MacNeil* have any portion of the front side of the sidewall adjacent the base being located below the plane. Both these references to the extent any portion of the front side of the sidewall is located below the plane occurs at a location remote from the base. Accordingly, none of the references teach nor suggest the invention of Claim 75.

**Claim 76**

It is respectfully submitted that newly added Claim 76 defines over all the art of record. Claim 76 requires a lacrosse head having a socket with the upper surface of the socket defining a plane parallel to the handle/head axis with:

said front side of said sidewalls, beginning adjacent said base, curving downwardly to a point below said plane so as to input a curved geometry when viewed in side elevation.

Again, the *Dorfi* reference does not have any portion of the head located below the plane defined by the upper surface of the socket. Additionally, neither *Taylor* nor *MacNeil* teach a curving of the front side of the sidewall to a point below the plane,

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where the curving begins at a location adjacent said base. Any curving of the front surface in *Taylor* or *MacNeil* occurs remote from the base, as discussed above, and is located no closer than approximately the midpoint of the sidewall, which is not adjacent the base. Accordingly, none of the references of record teach nor suggest the invention of Claim 76.

### Claim 77

It is respectfully submitted that newly added Claim 77 clearly defines over all the art of record. Claim 77 requires a lacrosse head having a socket defining a handle/head axis parallel to a plane defined by the front side edge of the base, with:

said front side of said sidewalls curving downwardly beginning adjacent said base to a point below said plane and above said handle/head axis.

As set forth above, Dorfi does not have any portion of the head located below the plane defined by the front side edge of the base. Further, neither the *Taylor* nor *MacNeil* references disclose curving the front side of the sidewall below the plane adjacent said base.

Accordingly, it is respectfully submitted that none of the references of record teach nor suggest the invention of Claim 77.

### Claims 78-81

It is submitted that claim 78 clearly defines over the art of record. Claim 78 requires a lacrosse head having a plane defined by the front edge of the base, with:

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at least a portion of said front side of said sidewalls, located within a half of the lengths adjacent said base, being offset below said plane and at least a portion of said back side of said sidewalls located within the other half of their lengths remote from said base extending upwardly toward said front side of said sidewalls.

None of the *MacNeil*, *Taylor*, or *Dorfi* references disclose a combination where at least a portion of the front side of the first half of the sidewalls are located below a plane defined by the front edge of the base while at least a portion of the back side of the second half of the sidewall extends upward toward the plane.

Accordingly, it is respectfully submitted that claim 78 defines over the art of record and is therefore a condition for allowance. Claims 79-81 which depend from claim 78, are also submitted to be in condition for allowance for at least the reasons provided above in connection with Claim 78.

### CONCLUSION

Therefore, Applicants respectfully submit that all objections and rejections of record have been overcome and that all pending claims are now in condition for allowance. A notice of allowance is respectfully solicited.



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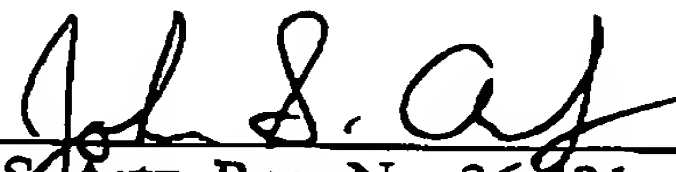
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If the Examiner should have any questions, he is urged to contact the undersigned  
at 248-223-9500.

Respectfully Submitted

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